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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/830,591	06/05/2001	Rodscha Drabon	LSP-0010	9486

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EXAMINER

VIGUSHIN, JOHN B

ART UNIT	PAPER NUMBER
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2827

DATE MAILED: 02/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/830,591

Applicant(s)

DRABON ET AL.

Examiner

John B. Vigushin

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--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 8.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Regarding the Abstract

1. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract in the range of 50 to 150 words on a separate sheet is required. It is important that the Abstract not exceed 150 words since the space provided for the Abstract on the computer tape used by the printer is limited.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites "side mechanical holders (2, 3)" in line 2, and "at least one front or side mechanical electrical connection and measurement sensor holder (5)" in lines 4-5 (emphasis by the Examiner). "Front" or "side" with respect to what part of the capacitor assembly that distinguishes it as a "front" or "side" from other parts of the capacitor assembly? It appears to the Examiner that any spatial relationship of the "side mechanical holders," or, the at least one "front or side...sensor holder" vis-à-vis the capacitor assembly may be interpreted as *front* or *side* in the given claim language.

Claim 2 recites "at least one electronic circuit (9) - preferably, a drive circuit for power semiconductors (11) - is attached to the front mechanical holder (5)" (emphasis

by the Examiner). It is not entirely clear how broadly the Applicant is claiming “the at least one electronic circuit.” Since the claim requires “at least one electronic circuit,” then the recitation “a drive circuit for power semiconductors (11)” is superfluous because such an electronic circuit is already included in the recited “at least one electronic circuit” and should therefore be deleted from the claim. Does “preferably” imply that the “electronic circuit” could be another type of circuit, or, is the Applicant requiring that the electronic circuit must be “a drive circuit for power semiconductors?” The word “preferably” renders the scope of the claim indefinite: If the Applicant requires that the electronic circuit must specifically be “a drive circuit for power semiconductors,” then a definite recitation to that effect must be made in this claim, or, alternatively, deleted from this claim and recited, instead, in an added dependent claim including, e.g., the recitation *wherein said at least one electronic circuit is a drive circuit for power semiconductors*.

Claims 3 and 6 recite “the mechanical holder (5) is provided at the front with respect to the capacitor (1)” in lines 1-2 (emphasis by the Examiner). “Front” with respect to what structural feature of the capacitor or capacitor assembly that distinguishes it as a “front” from other structural features of the capacitor or capacitor assembly? It appears to the Examiner that any spatial relationship vis-à-vis the capacitor may be interpreted as “at the front with respect to the capacitor.”

Claims 4 and 7 recite “the mechanical holder (5) is provided at the side on the capacitor (1)” in lines 1-2 (emphasis by the Examiner). Does the claim require that the mechanical holders are “on” (i.e., in physical contact with) the capacitor, or, does the

claim require that the mechanical holders are provided “at the side of the capacitor,” wherein the mechanical holders may or may not be in physical contact with the capacitor?

Claim 5 recites “a number of individual holder (5) are provided at the side on the capacitor (1)” in lines 2-4 (emphasis by the Examiner). Does the claim require that the mechanical holder is “on” (i.e., in physical contact with) the capacitor, or, does the claim require that the mechanical holder is “at the side of the capacitor,” wherein the mechanical holder may or may not be in physical contact with the capacitor?

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-7 (as best understood by the Examiner in view of the 35 USC § 112, 2nd paragraph rejection, above) are rejected under 35 U.S.C. 102(b) as being anticipated by Ishii et al. (US 5,623,399).

As to Claim 1, Ishii et al. discloses: a converter appliance (col.1: 8-12: converts dc to ac) capacitor assembly which has at least one capacitor (115, 125, 135) (Fig. 15), is attached to heat sink 150 (col.8: 56-63) by means of side mechanical holders (holders 9 shown in Figs. 3 and 8; modified holder 180 shown in Figs. 12 and 15; see col.5: 7-20; col.6: 16-19; col.8: 56-63); the capacitor assembly is designed as a load-bearing

component of the converter appliance and has at least one front or side mechanical electrical connection and measurement sensor holder (modified holder 180 has therein current sensors 106 and 107; Figs. 12 and 15) for making contact with electrical power connections, such as an external power supply and load connections (col.8: 56-col.9: 31).

As to Claim 2, Ishii et al. further discloses that at least one electronic circuit 5 (wherein electronic circuit 5 is a control circuit for operating motor 102; col.4: 41-54) is attached to the front mechanical holder (see embodiment with front mechanical holder 9 in Fig. 8; the embodiment with modified holder 180 also has the control circuit 5 attached to the holder 180, the same as in the earlier embodiment, but does not explicitly show the control circuit 5 in Figs. 12 and 15; see Figs. 8, 12 and 15; col.6: 16-19; col.7: 7-10 and 27-33; col.8: 56-59).

As to Claims 3 and 6, Ishii et al. further discloses that the mechanical holder 180 is provided at the front with respect to the capacitor 115 (Figs. 12; col.3: 53-54).

As to Claims 4 and 7, Ishii et al. further discloses that mechanical holder 180 is arranged at the side "on" [sic] (i.e., in physical contact with) the capacitor 115 for attachment of the electrical connections--i.e., the bus bars 140, 160 and 170--to the motor 102 (Figs. 12 and 15; col.8: 67-col.9: 10).

As to Claim 5, Ishii et al. further disclose that a number of individual holders 9 are provided at the side "on" [sic] (i.e., in physical contact with) the capacitor 4 (Fig. 8; col.6: 16-19).

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Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) Wieloch et al. (US 5,648,892) discloses a capacitor assembly 60 in a motor controller system comprising boards 201 at a side of the capacitor assembly with power circuitry 200 including ac-to-dc converters and dc-to-ac inverters and temperature sensors 206 (Fig. 2; col.7: 22-30).

b) Deam et al. (US 5,365,424) discloses a converter (ac-to-dc or dc-to-ac; col.1: 13-16) including a capacitor assembly 80 having an isolation side plate 86 and mounted on bus 76 on bus assembly 60 (Figs. 1A and 1B).

c) Van Husen (US 4,467,399) discloses a power supply assembly 400 including capacitors (410, 420) attached to associated equipment by side mechanical holders (100, 200) (Figs. 2 and 3).

d) Krämer (DE 198 13 365 A1) discloses a capacitor assembly for a converter appliance as described in the instant Application (see Specification, p.1, lines 10-22).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John B. Vigushin whose telephone number is 703-308-1205. The examiner can normally be reached on 8:30AM-5:00PM Mo-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Talbott can be reached on 703-305-9883. The fax phone numbers

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for the organization where this application or proceeding is assigned are 703-308-7382 for regular communications and 703-308-7382 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.



John B. Vigushin
Examiner
Art Unit 2827

jbv
February 8, 2003